

Anniston, Alabama

October 22, 2019

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B of the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, October 22, 2019, at approximately 5:30 o'clock p.m.

David Reddick, Council Member, prayed the Invocation.

David Reddick, Council Member, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Reddick, Little, Harris, and Draper, absent: none. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the October 1, 2019 Regular Meeting. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the October 1, 2019 minutes were approved.

Mayor Draper made a motion to adopt the agenda with the addition of a resolution to make a permanent appointment to the position of City Manager and to authorize the Mayor to negotiate an Employee Agreement for such service . The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried and the agenda was adopted.

Mayor Draper made a motion to approve a Special Events Retail License application for B and B Bartending LLC d/b/a Longleaf Botanical Gardens Charity Dinner on Saturday, November 7, 2019 at the Longleaf Botanical Gardens located at 920 Museum Drive within the corporate limits. The motion was seconded by Council Member Harris and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; abstentions: Council Member Little; nays: none. The motion carried.

Mayor Draper made a motion to amend the Classification and Pay Plan to include the reclassification of the Public Works Director position. The motion was seconded by Council Member Harris and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Resolution No. 19-R-198

A RESOLUTION TO MAKE A PERMANENT APPOINTMENT TO THE POSITION OF CITY MANAGER AND TO AUTHORIZE THE MAYOR TO NEGOTIATE AN EMPLOYEE AGREEMENT FOR SUCH SERVICES

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama as follows:

1. That Steven D. Folks be and he is hereby appointed as permanent City Manager of the City of Anniston pursuant to the Council-Manager Act of 1953.
2. That Jack Draper be and he is hereby authorized, directed and empowered for and in the name of the City of Anniston to negotiate an Employment Agreement with Steven D. Folks for services as City Manager to come before Council for approval.
3. That Skyler Bass, City Clerk of the City of Anniston be and she is hereby directed to attest to the Mayors' execution of said contract and affix the Seal of the City thereto.

PASSED AND ADOPTED this the 22nd day of October, 2019.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor

By:/s/ Jay W. Jenkins, Council Member

By:/s/ David E. Reddick, Council Member

By:/s/ Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 19-R-198. The motion was seconded by Council Member Reddick.

Council Member Harris stated that Mr. Folks has always been courteous and responds quickly and thoroughly and is the ultimate professional. She stated that she could not be more proud to support him as permanent City Manager, and that he is just the individual that they need to lead the City forward.

Council Member Reddick stated that this is prophesy and an opportunity for Mr. Folks to play his part in being in the thumbprint of God. He stated that he looks forward to being able to work with Mr. Folks, he believes in him, and he is supportive of him being City Manager more than he was with him being Parks and Recreation Director.

Council Member Little stated that his objection to this, first, is because it was not on the agenda that was sent out to them; and second, this council has motioned and approved that every position in this city would be advertised and that is not happening. He stated that it has nothing to do with Mr. Folks, but the precedence has been set. He stated he was against Kent Davis being placed in the City Manager position without being vetted by the council were questions are asked and the public can hear the questions prior to being their City Manager. He stated that the council violated their ordinance when they appointed that last two individuals to the hospital board.

Mayor Draper stated that they are blessed and fortunate to have Steven Folks, who has been serving as acting City Manager and they are fortunate to have him as permanent City Manager. He stated that he is completely the right man for the job and he has observed him with staff and members of the public and he has been a longtime faithful servant to the City of Anniston.

Council Member Little stated that that is what they said about moving forward on some other projects and moving fast. He stated it has nothing to do with Mr. Folks but has everything to do with procedure. He stated that the council is not following procedures by not advertising for the position. He stated that it makes no difference if he can walk on water; the council said they would follow the procedures.

Council Member Reddick stated that he agrees the Council should do the process the right way and that he agrees with that because that is what they decided as a council. He stated that he is still going to vote for Mr. Folks but that agrees with Council Member Little.

And on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried and Resolution 19-R-198 was passed and adopted.

Mayor Draper made a motion to read Ordinance 19-O-13, An Ordinance amending Section 4.31 of the Code of Ordinances governing Registration of Dogs and Cats(1st Reading) by title only. The motion was seconded by Council Member Harris.

Mayor Draper opened a public hearing to receive public comment on reading by title only Ordinance 19-O-13, An Ordinance amending Section 4.31 of the Code of Ordinances governing Registration of Dogs and Cats. No one spoke. Mayor Draper closed the public hearing to receive public comment on reading by title only Ordinance 19-O-13, An Ordinance amending Section 4.31 of the Code of Ordinances governing Registration of Dogs and Cats.

And on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Reddick and Little.

Bruce Downey, City Attorney, read and introduced Ordinance 19-O-13, An Ordinance amending Section 4.31 of the Code of Ordinances governing Registration of Dogs and Cats (1st Reading)

Glen Ray, 3514 Dale Hollow Road, addressed the council on this being the 400th year of our ancestors coming into the country and the state of his son being in jail. He stated that this city needs to get right.

Richard Jackson, 2317 Noble St., addressed the council on the difference between good and right. He stated that it is a culture thing by not following the rules similar to what is going on with the current administration in Washington. He stated that the Housing Authority was not created as a permanent residence but as temporary.

Shawn McClellan, 1518 McDaniel, addressed the council on being harassed by the Anniston Police Department.

Shawanda Thomas, 2630 Wilmer Ave, addressed the council on the flooding of roads of 27th and Wilmer. She stated that things need to be better and things that are going on in the city is not being addressed.

Emma Fantroy, 2530 Paul St., addressed the council on getting together to solve the issues that have been brought up. She stated that people should not have to come back every meeting and nothing being done.

Council Member Jenkins stated that appreciates everyone coming out tonight and sharing their thoughts, appreciates city staff and congratulations to Mr. Folks. He encouraged everyone to come out to McClellan this weekend, Pappy Dunn Tournament. He stated over 40 teams will come to participate.

Council Member Reddick stated that October 31, 2019 at 3:30 City Hall will be presenting a trick or treat for kids ages toddlers to 12 years old. He stated after that everyone is welcome to come to 17th Street Baptist Church and the Masonic Lodge and Kappa Alpha Psi Fraternity will be hosting a trunk or treat. He

stated that they have to move into community policing and that is the answer to building confidence in Wards 2 and 3.

Council Member Little stated that they are hearing these concerns repeatedly and something should be done; and sometime next month they will be doing a walk with attorney general, Dr. Satcher. He stated that they would be moved when they see the plans that are going on. He stated that title 11-44-c-28, tells it requires unanimous consent to be read by title. He stated it is about following what the council has approved. He stated it is not about race, or whether or not someone is good or not but everyone should have the opportunity to apply.

Council Member Harris stated that she wanted to welcome Mr. Folks and saying that we have to put this put is like saying we cannot promote from within. She stated that she does not think they would find a more qualified person than the one they have right here. She stated as far as the hospital board goes, that ordinance was changed a long time ago and that it is now a health care authority and no longer under the city.

Mayor Draper stated that that law enforcement and the jury should decide whether someone lied or not. He thanked everyone for coming out.

Mayor Draper made a motion to convene into an executive session for the purpose of discussing with the City Attorney the legal ramifications of and legal options for controversies not yet being litigated but imminently likely to be litigated depending on the City's course of action. The motion was seconded Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the city council convened into executive session at 6:21 o'clock p.m.